IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

MONDAY, THE 17TH JULY 2006 / 26TH ASHADHA,1928

Bail Appl..No. 4008 of 2006

CRMP.4495/2006 of J.M.F.C.-III, PUNALUR
(CRIME NO.202/2006 OF PATHANAPURAM POLICE STATION)

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PETITIONER/ACCUSED

JAYARAJAN, S/O.DEVADASAN,
AGED 33 YEARS, THEKKEKARAVEEDU, PAMPIRIKONAM,
KANIYAMPADIKKAL, PUNNALA MURI AND VILLAGE.

BY ADV. SRI.S.MUHAMMED HANEEFF

RESPONDENTS: COMPLAINANT

STATE OF KERALA,
REP. BY THE CIRCLE INSPECTOR OF POLICE,
PUNALUR CRIME NO.202 OF 2006 OF PATHANAPURAM
POLICE STATION, REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 17/07/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A.4008/2006

DATED THIS THE 17TH DAY OF JULY, 2006

O R D E R

The petitioner was found quarrelling with one Gopi, on 12.5.2006. However, after some time the injured Gopi was found dead and lying in the adjacent rubber estate. The petitioner was arrested and interrogated. The investigation reveals that the petitioner had hit the deceased Gopi with a pestle and thereby caused the injury. He also caused, consequently, internal haemorrhage because of which, he succumbed to the injuries. Therefore, the Pathanapuram police registered crime No.202/2006 of that police station, under Section 302 IPC, though originally the crime was put under Section 174 Cr.P.C.

2. The facts available on record show that both of them were quarrelling. The petitioner used pestle for assaulting the deceased and causing the injuries. Though the occurrence took place as stated above, without

entering into any discussion on the facts that are placed by both sides, and considering the progress of the investigation, I dispose of this petition and grant bail to the petitioner subject to the following conditions:-

(a). The petitioner shall execute a bond for Rs.25,000/- with two solvent sureties, each for the like sum, to the satisfaction of the Judicial Magistrate of First Class-III, Punalur.

(b). The petitioner shall report before the investigating officer, once in a week, on every Friday, between 10.00 a.m and 11.00 a.m., for a period of three months, starting from 21.7.2006 and also on the first working day of every month, between the same timings, till the investigation is completed and final report is filed by the investigating officer.

(c). Immediately on the release from jail, the petitioner shall report before

the investigating officer of Pathanapuram police station, and from there, he shall proceed outside the limit of that police station. The petitioner shall report the place of his residence for three months.

(d). The petitioner shall not enter the limit of Pathanapuram Police station, for a period of three months.

(e). The petitioner shall not leave the State of Kerala, till the final trial and disposal of the Sessions case.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs